SINGLE BENCH

(3)

(4)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

W.P. (C) NO. 5459 / 2006

Petitioner : Smt. Shakila Begum,
W/o Zuber Ahmad,
Aged about 38 years,
R/o Near Old Bus Stand,
Main Road, Pendra Road,
Dist : Bilaspur-(C.G.)

P.R. No. 5472/06
Presented by Shri Ashok Soni
dated 5.10.06

Versus

Respondents : 1. State of Chhattisgarh
Through - The Secretary
Nagariya Nikay Prashasan,
D.K.S. Bhawan, Raipur,
Dist : Raipur-(C.G.)

RECEIVED-COPY
11/10/06
CLERK to A. G. BILASPUR

2. The State Election Commission,
Chhattisgarh, Through – Chief Election Commissioner,
D.K.S.Bhawan Raipur,
Dist : Raipur-(C.G.)

3. Shri R.P.Mishra
Election Officer,
Nagar Panchayat Gourella,
Election 2004
Tehsil Office, Pendra Road,
Dist : Bilaspur-(C.G.)

OATH COMMISSIONER
APARNA MALVIYA
Bilaspur Chhattisgarh
5/10/06

4. District Election Officer,
Through – Collector Bilaspur
Dist : Bilaspur-(C.G.)

5. Smt. Geeta Gupta
W/o Madan Lal Gupta,
Aged about 37 years,
R/o Near State Bank Gourella,
Pendra Road, Dist : Bilaspur-
(C.G.)

6. Smt. Geeta Soni
W/o Mahendra Soni
Aged about 44 years,
R/o Mangli Bazar,
Near Water Tank,
Pendra Road, Bilaspur,
Dist : Bilaspur-(C.G.)

7. Smt. Asha Begum
W/o Latif Ahmad,
Aged about 32 years,
R/o Deepu Para, Gourella,
Pendra Road,
Dist : Bilaspur-(C.G.)

8. Smt. Sandhya Rao,
W/o Shri Rajendra Kumar,
Aged about 32 years,
R/o Main Road,
Pendra Road,
Dist : Bilaspur-(C.G.)

OATH COMMISSIONER
APARNA
MALVIYA
CG-3073/96
Bilaspur Chhattisgarh

WRIT PETITION U/A 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

47

W.P.(C) No. 5459/2006

**मामला क्रमांक ..... / सन् 200**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

**09.10.2006**

Shri Ashok Soni, counsel for the petitioner.

Shri Arun Sao, Govt. Advocate for the State on advance copy.

Heard on admission.

Order dictated as follows:

**ORAL ORDER**
**(09.10.2006)**

**SUNIL KUMAR SINHA, J.**

This is a petition filed under Article 227 of the Constitution of India, against the impugned order dated 20.09.2006 passed in Case No. (Election matter) 3/2005 pending in the Court of Learned Additional District Judge (FTC), Pendra Road.

By way of impugned order, Learned Election Court has refused the prayer for calling the Revenue Officer as a witness who issued the caste-certificate of the petitioner in Ahooppur on 18.11.2004 on the ground that the caste-certificate itself and the copy of entire proceedings pertaining to issuance of the caste-certificate were also on record. While doing so, the learned Court directed the respondent No.5 to produce all other entire evidence whatsoever she likes.

After arguing for sometime, learned counsel for the petitioner prays for withdrawal of this petition with liberty to raise his grievance at the appropriate stage.

This is not opposed by learned counsel for the State.

The petition, filed against the order dated 20.09.2006, is dismissed as withdrawn with the aforesaid liberty granted in favour of the petitioner.

**Sd/-**
**Sunil Kumar Sinha**
**Judge**

Vothi